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CHICAGO, IL 60606

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AUG 06 2008

OFFICE OF PETITIONS

In re Application of
Masatomo Shibata et al
Application No. 10/519,152
Filed: August 10, 2005
Attorney Docket No. PHCF-03037US

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ON PETITION


This is a decision on the petition under 37 CFR 1.137(b), filed April 28, 2008 to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the Restriction Requirement mailed September 11, 2007 which set a shortened statutory period for reply of one (1) month or thirty (30) days (whichever is later). No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on October 12, 2007.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See *In re Application of S.*, 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Accordingly, since the \$1050 extension of time submitted with the petition on April 28, 2008 was subsequent to the maximum extendable period for reply, this fee is unnecessary and will be credit to petitioner's credit card.

Telephone inquiries concerning this decision should be directed to Irvin Dingle at (571) 272-3210. This matter is being referred to Technology Center AU 2812 for further processing.


Irvin Dingle
Petitions Examiner
Office of Petitions



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/519,152	08/10/2005	Masatomo Shibata	PHCF-03037US

CONFIRMATION NO. 5477

POA ACCEPTANCE LETTER

24628
Husch Blackwell Sanders, LLP
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120 S RIVERSIDE PLAZA
22ND FLOOR
CHICAGO, IL 60606



Date Mailed: 08/06/2008

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 04/28/2008.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/s/ idingle/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



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CONFIRMATION NO. 5477

POWER OF ATTORNEY NOTICE

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VIENNA, VA 22182-3817



Date Mailed: 08/06/2008

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 04/28/2008.

- The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

/idingle/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101